DOCUMENT RESUME

ED 310 385 CS 211 980

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TITLE Freedom of Expression for High School Journalists: A Case Study of Selected North Carolina Public Schools.
PUB DATE Aug 89
NOTE 50p.; Paper presented at the Annual Meeting of the Association for Education in Journalism and Mass Communication (72nd, Washington, DC, August 10-13, 1989).
PUB TYPE Speeches/Conference Papers (150) -- Reports - Research/Technical (143)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS Case Studies; *Censorship; Editors; *Faculty Advisers; *Freedom of Speech; *High Schools; Journalism; Principals; Public Schools; *School Newspapers; Student Publications
IDENTIFIERS *Advisor Role; First Amendment; Hazelwood School District v Kuhlmeier; Journalism Research; *North Carolina; Prior Restraint

ABSTRACT

A study examined the freedom of the high school press in North Carolina to determine whether publication guidelines should be in place, and if so, what those guidelines should contain. High school newspaper advisors, high school principals, and high school newspaper editors from large and small, urban and rural, eastern and western high schools were interviewed on several occasions. The nine advisors interviewed for this study attended the North Carolina Scholastic Press Association Workshop at the University of North Carolina at Chapel Hill in June, 1987 and to that extent are not representative of the generality of North Carolina high school newspaper advisors, most of whom are untrained and have never attended a journalism workshop. But, although better informed than average, results indicate that few of the study advisors are well informed on matters of journalistic importance (North Carolina has no certification requirements for secondary journalism teachers), all practice prior review, and all censor student writing by cutting controversial material and instituting an atmosphere of intimidation that causes students to refrain from printing certain materials in the school newspaper. Findings suggest that most of the problems that confront the high school newspaper advisor and staff can be avoided if every high school adopts a clear, legally explicit set of guidelines and if advisors are required to be well-trained. (Ninety-seven notes are attached.) (RS)

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Freedom of Expression for High School Journalists:
A Case Study of Selected North Carolina Public Schools

by

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A paper submitted for presentation at the
1989 Convention of the
Association for Education in Journalism and Mass Communication,
Secondary Education Division,
Washingon, D. C., August, 1989

CS211980

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Freedom of Expression

United States citizens have a greater degree of freedom to speak out on almost any issue than do citizens of any other country in the world. That liberty is based on the First Amendment to the Constitution, and several theories try to define why that liberty must be protected. One of the most widely accepted concepts is set forth by Supreme Court Justice Oliver Wendell Holmes, in whose view the First Amendment is the "protector of truth," which can come only from "free, robust uninhibited communication in the public marketplace of ideas."[1] Freedom of expression for all levels of the press in this country stands on the theory that out of this "marketplace of ideas" will come the best solutions for all aspects of society.

Another theory behind guarding the First Amendment is that it must be protected against "one of the very real dangers of a democracy: The 'tyranny of the majority.'"[2] Guarding against such tyranny, Justice Holmes dissented from the Court's ruling in 1929 that Mrs. Rosicka Schwimmer could not obtain United States citizenship because she refused to bear arms. There must be freedom, said Holmes, not only "for those who agree with us, but freedom for the thought we hate."[3] Such protection lets Nazis and Communists hand out leaflets and march through the city streets of the United States and gives loyal citizens second thoughts about freedom of expression.[4]

Those second thoughts assert themselves when this idea of protection for free expression moves from the arenas of political protest and ideological beliefs to the more confined vehicle of freedom of expression for high school students. No one ratifying the Bill of Rights foresaw its use in protecting the right of college and high school students to express themselves on campus. However, in interpreting the First Amendment between the late 1960s and the mid-1980s, federal courts did just that.[5]

Before 1988, the Supreme Court had decided only eight cases that directly dealt with student freedom of expression. The one such case that has had the most impact on student speech is *Tinker* v. *Des Moines Independent Community School District*[6] in 1969. Although the issue in *Tinker* involved only the students' right to wear armbands to school, a number of subsequent decisions by lower federal courts have extended this freedom of expression to cover students' rights to publish literature and to distribute it on school grounds.The noted lack of a Supreme Court case dealing

directly with the secondary school press has recently been corrected, with the Court's decision in *Hazelwood School District* v. *Kuhlmeier* in January 1988. That case was preceded to the Supreme Court last year by *Bethel School District No. 403* v. *Fraser*, a student freedom of expression case — not freedom of the press — that revisited "the area where students in the exercise of First Amendment rights collide with the rules of school authorities."[7]

Unlike *Tinker*, *Fraser*, or any other Supreme Court case before it, *Kuhlmeier* directly involves the high school press. "Because no other Supreme Court case has defined the rights of high school student journalists, the decision will have a significant impact on student publications across the country," said Mark Goodman, executive director of the Student Press Law Center.[8] When the Court handed down its decision in favor of the school board January 13, 1988,[9] almost every major newspaper and newsmagazine in the United States gave the case prominent coverage. The effects of *Kuhlmeier* have wasted no time in making themselves felt. In 1987, Goodman said, the Student Press Law Center had 687 calls from students experiencing problems with censorship. In the three weeks after the *Kuhlmeier* decision, alone, the Student Press Law Center answered more than 500 calls from students, teachers, and professional journalists about the ruling.[10]

With the stage set for further action concerning the student press and other expressive activities, it is time to look at the state of affairs in North Carolina public high schools today. This study has as its purpose to look at freedom of the high school press in North Carolina today, to determine whether North Carolina public secondary schools should have publication guidelines in place and, if so, what those guidelines should contain.

Information about the North Carolina student press has been gathered from three sources: high school newspaper advisers, high school principals, and high school newspaper editors. They are from high schools that range in size from 350 students to 2,400 students and are located in areas as diverse as metropolitan Raleigh and Charlotte are from rural Rowan County and as Plymouth in the east is from Asheville in the west. A common thread united the advisers: they were all concerned enough about high school journalism to be attending the North Carolina Scholastic Press Association Workshop at the University of North Carolina at Chapel Hill at the time of our face-to-face interviews in June 1987, most of them having also brought students to prepare for their work as staff members in the fall. Four of those advisers also direct their high school's yearbook production, and three advise

the literary magazine. Information about advisers' preparation for their task came in part from a survey conducted by the University of North Carolina School of Journalism.

Two sets of interviews, one face-to-face with advisers and one by telephone with the principals at the schools where the advisers work, were conducted in Summer 1987. After the Supreme Court's decision in *Kuhlmeier*, January 13, 1988, a direct mail survey was made of those advisers and a second telephone survey of the principals. At the same time, the student editors at the schools of the advisers and principals were studied for the first time. They could not be questioned in summer 1987 because they had not at that time worked as editors. A few of the advisers chose to give their responses in this second questionnaire by telephone. One adviser interviewed asked that her name and that of her school's student editor be withheld and that her principal not be interviewed. The student editors head the publications overseen by the advisers.

For advisers and principals length of experience at the task has also been considered, and for students, how long they have been staff members. Finally, conclusions about the need for student publication guidelines in North Carolina high schools have been drawn from the data collected. Although the courts have acknowledged in some cases the value to the student press of sound procedural guidelines, questions arise as to the content of such guidelines, their purpose and the effect of having them. Whether North Carolina public secondary schools should have student publication guidelines in place is the question at the heart of this study. Involved in that question was learning what are the major trouble spots for high school publications and what are the current attitudes toward prior review and censorship. This study will show how the perceptions students, advisers, and principals have of the role of the student press affect their attitudes about and their practice of freedom of expression for student journalists. It will provide information that will enable those involved with student publications to decide whether to devise guidelines and what those guidelines should contain.

Advisers: Responsibility without Security

Of the advisers in this study, only one has a major in journalism, with one additional adviser having an English major with a journalism emphasis. This situation exists because North Carolina is one of four southern states that have no certification standards for secondary journalism teachers.[11] The other three are South Carolina; Georgia; and Tennessee.[12] Because problems multiply for the unprepared adviser, the North Carolina Scholastic Press Association (NCSPA), in conjunction with

the schools of education and journalism at the University of North Carolina at Chapel Hill (UNC-CH) has proposed to the North Carolina Department of Public Instruction an endorsement for high school journalism teachers, calling for eighteen semester hours of journalism work.[13] Current journalism teachers would be grandfathered in through testing.[14] Thirty-one states have such endorsement requirements that define the lower limits of knowledge and skills a journalism teacher-publication adviser must have.[15]

To gain material in support of the endorsement plan, in February 1986, the UNC-CH School of Journalism mailed a survey to 634 publication advisers in North Carolina secondary schools to find out just how well prepared advisers feel they are to teach journalism and to advise publications. Predictably, survey results showed that teacher-advisers with journalistic experience and training felt more prepared for their tasks.[16] Of the 325 advisers who responded, only thirty had had four or more journalism courses, but seventy-five had had at least a year's professional journalism experience, with nineteen of those having worked five years or more with the professional press.[17] All but nineteen were teaching journalism courses, but the advisers were not asked which publication they worked with — newspaper, yearbook, or literary magazine. In a fall 1985 survey of its newspaper adviser members only, NCSPA had one hundred members in that category.[18] Of some significance to educators who work with the preparation of teachers and who hire high school publication advisers should be the fact that survey results showed taking college courses in journalism proved to be a stronger factor in improvement of preparedness than did professional journalism experience.[19]

Significant to this case study is the fact that of all the journalistic areas, the 325 responding teachers — regardless of overall teaching experience, years teaching journalism, college journalism courses, and professional experience — consistently felt less well prepared to teach mass media law than any other area. A scholastic newspaper adviser of twenty-five years teaching experience said an adviser must have "a solid background in journalism, particularly in the ethics and legal responsibilities of the high school press. Hardly a year goes by that I'm not confronted with a number of sticky ethical questions: to print or not to print a questionable story. My guideline is that no story is 'too hot to handle.' Students must learn to deal with controversial subjects in a responsible way, and it is the adviser's job to teach them responsible journalism."[20]

Adviser volunteers range in teaching experience from two to twenty-seven years and in advising experience from one to eleven years. Their journalistic education experience ranges from a major in journalism to no courses at all, and their professional experience ranges from two years on a daily newspaper to none. All have attended publication workshops, with the number ranging from more than twenty to one — the NCSPA one of the moment. In her efforts to become and remain informed, one adviser reads five journalism publications monthly; another reads four; and four others read one or two, usually the *NCSPAA* (North Carolina Scholastic Press Advisers' Association) *Newsletter* quarterly. The remaining three advisers read no journalism publications, agreeing that their advising tasks consume any possible reading time. Although not as crucial as taking courses and working professionally, whether the adviser reads journalism publications and attends publication workshops are significant factors in her knowledge of her subject, current understanding of issues, and ability to produce student journalists with solid skills and quality newspapers with professional standards. Two advisers teach in small schools (fewer than 800 students); four, in middle-sized schools (800-1,500 students); and three, in large schools (more than 1,500 students). These sizes fairly represent sizes of schools in North Carolina, where the average high school has about 1,200 students and where, also, comparisons are difficult to make because the high school level at some schools includes four grades; at some, three; and at some in transition, three and one-half or five.[21]

All the advisers teach at least one journalism class that is part of the regular school curriculum and for which production of the newspaper is an assigned activity. For these advisers the newspaper is monthly, usually consisting of eight pages, but ranging up to sixteen, except at Plymouth High, where the *Viking Page* appears as a weekly page in the local community newspaper. Four of the newspapers in this study — *Wingspan* of West Henderson, the *Eagle* of East Mecklenburg, the *Eagle's Eye* of Enloe, and the *Viking Page* of Plymouth — are consistently winners of writing and design awards in North Carolina. *Wingspan* also won the Scroggins Award in 1988 for the best overall newspaper in the SIPA sixteen-state competition. Four of the other five newspapers are much improved journalistically since they began adhering to NCSPA critique service suggestions and will likely become award winners if the same advisers continue at the schools. One newspaper was critiqued in 1987 by NCSPA for the first time.

Eight of these advisers represent a cross-section of the most enthusiastic, most dedicated-to-excellence advisers in North Carolina. The ninth, who wishes to remain anonymous, enjoys teaching but is more typical of that group of advisers who are rather reluctantly doing their advising tasks in daily fear that student indiscretion will be their downfall. As has been noted, among advisers who bring students to and study in the NCSPA summer workshops, discussions center around legal problems and job insecurity.

What are other characteristics of the typical North Carolina journalism teacher-publication adviser? She is typically female (83.7 percent of UNC-CH survey respondents).[22] One projected reason for the gender gap is that most newspaper advisers are English teachers, and most English teachers in North Carolina are female. Among the high schools of the advisers interviewed, female English teachers far outnumbered men.[23] The typical adviser is in her thirties (42.2 percent), has had no college journalism courses (66.5 percent), has been teaching school for seven or more years (79.4 percent), and has been at her journalistic task for from three to six years (30.8 percent) or more than seven years (32.9 percent).[24] Only the latter two factors seem surprising because the teacher-adviser most often heard about is the new teacher-adviser, who takes on the journalistic tasks at gunpoint in order to get a job teaching English. These statistics indicate that although many advisers may have taken the task under duress, a silent majority is staying with the job, many perhaps unwillingly and with some trepidation. Their fears are evident in one nationwide survey finding that "the more experienced advisers more strongly agreed with the idea that the student newspaper is more a learning tool than a vehicle for the expression of student opinion."[25] Other statistics in the North Carolina adviser survey reveal that in the areas of mass media law (65.5 percent), mass media issues (39.3 percent), photojournalism (40.2 percent), and broadcast journalism (76.6 percent) these advisers feel unprepared for their tasks even after seven or more years teaching journalism.[26]

Qualifications of the advisers in this study fit well into the picture of the typical adviser gained from the North Carolina survey. At North Rowan High, a small high school near Salisbury, Jean Kennedy, who has taught school for twenty years, is atypical only in that she has advised the school newspaper, the *Cavalier*, for only two years. Kennedy said she reads no journalism publications, has taken no college journalism courses, and has had no professional journalism experience. Through NCSPA she learned of the Dow Jones Newspaper Fund, and by applying and sending letters of

recommendation, she won a Dow Jones Newspaper Fund Fellowship in Summer 1987 and at the time of this interview had just returned from a week-long, concentrated course at the University of South Carolina at Columbia in advising newspapers. "It has saved my life," Kennedy said in February 1988. "Without the Dow Jones scholarship last summer[27] and the opportunity to attend the institute at the University of South Carolina, I would still be confused." [28] In Kennedy's two years of advising, she has also attended two NCSPA workshops and one Greensboro Youth Council Publications workshop.

Even newer than Kennedy is Jane Kaiser, adviser to the *Scratching Post* at North Gaston High School, a middle-sized school near Dallas. Having just completed her rookie year as adviser to the *Scratching Post* at the time of the original interview, Kaiser had taught for ten years before coming to North Gaston, but said she had had no preparation for journalistic tasks, currently reads no journalism publications, and was attending her first journalism workshop. She took the journalism teaching and newspaper advising assignments as part of the English teaching assignment she applied for.

Lack of preparation and long teaching experience also characterize three other interviewees, who have been at their advising tasks a few years longer than Kennedy and Kaiser. The adviser who asked not to be identified has been teaching for ten years and advising the newspaper at her school, a middle-sized suburban school in central North Carolina, for four. Sandra Phillips at East Mecklenburg High, a large school in Charlotte, has been teaching for fifteen years and advising for five; and Helen Fairbanks at Asheville High, a middle-sized school in Asheville, has been teaching for twenty-seven years and advising the *Cougar Chronicle* for four. The three have in common, also, no course preparation for their tasks, and the unidentified adviser and Phillips have no professional journalism experience. Fairbanks worked for a year on a weekly newspaper. All three took the journalism and advising assignments as part of their current teaching positions. Fairbanks said she gets "lots of information" from reading five journalism publications regularly: the *Columbia Journalism Review*, *Quill and Scroll Magazine*, the *Student Press Law Center Report*, *Journalism Quarterly*, and the *NCSPAA Newsletter*. Phillips reads the *CSPA Bulletin* and the *NCSPAA Newsletter*, and the unidentified adviser said she has time for none. All three have attended journalism workshops — Phillips, six, and Fairbanks and the unidentified adviser, two each.

For the other four interviewees, college journalism courses and professional experience have helped smooth the teaching and advising tasks. Mary Ann Robinson, adviser to the *Panorama* at Lee

County Senior High — a large school in Sanford, has had two journalism courses, but no professional experience. Susan Wellborn at Plymouth High, a small school in Plymouth, has also had two journalism courses and has worked as a free-lance writer for a daily and two weekly newspapers. Sharon Lineberry at Enloe High, a large school in Raleigh, has an English major with a journalism emphasis and worked on a daily newspaper for two years. And Brenda Gorsuch at West Henderson High, a middle-sized school in Hendersonville, has a degree in journalism, coupled with two years' experience on a daily newspaper. All four read journalism publications for regular information in their task. Lineberry and Wellborn both read the *Columbia Journalism Review*, the *Washington Journalism Review*, and the *NCSPAA Newsletter*, with Wellborn adding the *N.C. Press Woman*. Gorsuch and Robinson both read *Quill and Scroll Magazine* and the *NCSPAA Newsletter*. Robinson has attended two journalism workshops; Lineberry, three; Gorsuch, six; and Wellborn, more than twenty. Whether the adviser reads journalism publications and attends publication workshops are significant factors in her knowledge of her subject, current understanding of issues, and ability to produce student journalists with solid skills and quality newspapers with professional standards.

Regardless of their experience and training, all the advisers in this case study remained unprepared to discuss student publication guidelines, mainly because they neither had such guidelines in their schools nor had read much about them. For the purpose of this study "student publication guidelines" are described as a document that defines publication policy, student journalists' responsibilities, and prohibited material. It also spells out policies in advertising, adviser job security, prior review and prior restraint, and circulation. A chief purpose of the guidelines is to preserve student freedom of expression in the face of blatant or subtle censorship, prior review, and prior restraint. Because of advisers' varied concepts of how the guidelines would be constructed and applied at their schools, they also had differing ideas about the usefulness of such a document.

Three advisers — Kaiser, Wellborn and Robinson — believe guidelines are unnecessary. "Sometimes not having any is the best policy," Plymouth Adviser Wellborn said. "If you get too specific, you get yourself in trouble. You have to make it clear that you're in charge — no administrative clamps. If the administration is going to tell the staff what to do, you don't need an adviser. It all comes down to your relationship with the administration. My school board perceives us as a tremendous threat because the newspaper has shown it will not hesitate to criticize school board

policies. In the wrong hands guidelines are dangerous. [It would be in the best interest of student journalism] if guidelines could say the principal has no authority to censor."

If her school were to have written guidelines, Wellborn believes she should develop them, perhaps with input from experts from the University of North Carolina and the Student Press Law Center, both of which she trusts because of their competent help and leadership in scholastic journalism over a long period of time. The guidelines could then be reviewed by administrators, she suggests. She shies away from local school authorities making guidelines, she said, because "in our county the school board and principal don't respect the [student] press and are unwilling to give authority" in the belief that students are too young and immature to have and express important opinions.

Unlike these three, the other six advisers favor, to varying degrees, guidelines for their publications. However, they differ widely in their understandings of what such guidelines should cover. If the guidelines are simply "written policies," as she described them, the unidentified adviser said, "they can be helpful. The few I have do nothing to decrease flexibility." Written guidelines at her school, containing only job descriptions for staff members and instructions for acceptable letters to the editor — "nothing about content" — are not at all what this study considers proper student publication guidelines.

Adviser Kennedy at North Rowan, uncertain as to what guidelines should contain, said, "They'd be good to have" if she and her staff developed them. "I would resent having any guidelines sent down" from principal or school board, "but I know we'd be expected to follow them," she added.

Fairbanks at Asheville said she believes that student publication guidelines are necessary and that they delineate "what you may or may not do within the context of the school community." They also "should contain a flow chart — who's the boss, libel definition and examples," she said. The school should have those kinds of guidelines in print because "students are absolute neophytes and don't realize the difference between journalism and other subjects," she said.

Another adviser who sees guidelines as possibly helpful, Lineberry, at Enloe, described them as "helpful directions if correctly developed," adding, "We haven't done that at Enloe." None should be "handed down [by administrators] to an adviser and staff," she said.

Adviser Phillips, at East Mecklenburg, sees guidelines as useful and has definite ideas about what student publication guidelines are. "Guidelines outline what to publish and what cannot be published," she said. "They state the manner in which to approach sources and how to use the information gathered. They define student responsibilities with their powers as journalists and outline students' actions as school representatives." Phillips believes it is in the best interest of student journalism to have guidelines. "If an issue arises, you have something in writing to back it up," she said, "but they could be used against you." If guidelines for publications are developed, she said, "the staff and adviser should develop them — no committee from outside."

With a contrasting idea for guideline development by a countywide committee, Adviser Gorsuch at West Henderson said publication guidelines are "something needed but not there." She thinks they should contain a job description of the adviser and be a countywide policy on what is expected of high school publications. "A committee of journalism teachers [from the four high schools] in the county developed the journalism curriculum and could be the ones to develop publication guidelines. Our local administration is very supportive. We need publication guidelines just as our library needs and has a policy to show the guidelines used to buy books."

Advisers' comments reveal basic problems with schools adopting publication guidelines: (1) What are they? (2) What should they contain? (3) Who should draw them up and enforce them? Adviser education on legal issues and on guideline content could resolve these problems. Such education is essential because, as will be seen in the principals' responses in this study, administrators often depend upon the expertise of the adviser for guidance and suggestions for handling student publications. When that expertise and well-drawn guidelines are lacking, the publication is at risk for the placement of stringent restrictions to protect administrators. Although most trade publications aimed at high school journalists urge schools to establish a written set of guidelines governing what student publications may print, a national survey of high school journalism programs indicated that "only 14.4 percent of the schools in the survey had such a written policy."[29]

One of the most obvious outgrowths of the lack of clear-cut, constitutionally correct guidelines for student publications is the widespread exercise of prior review and prior restraint by advisers and by some administrators. Although none of the nine schools has a written system of prior review, all the advisers review copy for accuracy, fairness, and school and community acceptability before it is

published and exercise editorial control over what is printed.[30] Some of them are reluctant to call themselves censors; while others say to censor is part of their responsibility. "Censorship" as used in this study refers both to specific incidents of cutting controversial material and to any policy or atmosphere of intimidation that causes students to refrain from printing certain materials in the school newspaper.[31] Most of the advisers interviewed had sought out administrative prior review of articles. Although none would say they had experienced administrative prior restraint of any articles, several could list specific subjects their principals had listed as taboo and articles he had rejected for printing. More extensive prior restraint was avoided by some advisers by their own diligent exercise of simple prior restraint, preventing the publishing of certain controversial articles.

On the issue of prior review, a nationwide survey revealed that the overwhelming majority, 96.5 percent of the principals and 89.0 percent of the advisers, agreed or strongly agreed that the student newspaper advisers should review all copy before it is printed.[32] "It is difficult to conclude," said the authors, "whether this review constitutes censorship, but it is likely to lean in that direction."[33] Most principals (56.0 percent) and advisers (70.5 percent) agreed that for a school administrator to read student newspaper copy before publication is censorship.[34]

What the adviser is responsible for controlling is not clear in the results of that national survey. Principals and advisers strongly agree that the adviser should correct before printing misspellings and factual inaccuracies that students make in their copy "even if it is not possible to confer with the students involved."[35] On the question of whether an adviser who knows that the newspaper is going to publish something that will "put the school in a bad light" is professionally obligated to cut the item, more than one-third of the principals, but only one-fifth of the advisers agreed with the statement; while only one-fifth of the principals and two-fifths of the advisers disagreed.[36] Two-thirds of the principals and more than one-half of the advisers believe that newspaper advisers "who do not read student newspaper copy before publication should be held personally responsible for any complaints about the newspaper."[37] To a slightly lesser degree the two groups also agreed that the adviser, rather than the student editor, is ultimately responsible for student newspaper content and that the adviser who reviews copy for the student newspaper before publication "becomes liable for the content."[38]

On the more relaxed side of prior review, Plymouth's Wellborn said her school has no system of administrative prior review. "I review the copy to make sure it is accurate, fair, and complete and to

make sure we're not going to court," she said. Most of the time the staff votes on whether to run controversial material, she said, and it sometimes chooses to print stories Wellborn knows "the people will raise hell about, " such as articles on teen-age pregnancy, birth control, race relations, school board policies, and drugs. No approval process exists beyond the adviser and staff, she said, adding, "I've had my principal ask me (about articles), but I've never sought his approval.

"I don't have the authority to censor," Wellborn said. "My role is to point out to the kids I'm hanging out there, and if they're going to make me lose my job, make sure they're right and it's worth it." Students need the adviser's direction, she said. "Sometimes when they're so young, they're not quite as accurate as they need to be. They get so directed they have blinders on."

Like Wellborn, aware when their jobs are on the line, other advisers remembered cases across the nation of advisers losing jobs and accepted prior review as necessary to protect their jobs. In the only North Carolina high school press case to go to court, William Schultz, adviser to the Eastern Randolph High School *Wildcat Prowl* newspaper, actively supported his students' efforts to overcome administrative prior restraint of an article about birth control methods. Although the students won the case, including the right to print the article and $1,500 in attorneys' fees, Schultz, a tenured teacher, remained as an English teacher but was relieved of his duties as journalism teacher and newspaper adviser. He was replaced by a non-tenured English teacher with no journalism training or experience. From the beginning, Schultz's students were concerned about the effect the fight for press freedom might have on his job. Susan Rickman, managing editor and co-plaintiff in the suit, said that when she told Schultz about students' fears, he replied, "Don't worry about me; you just do what you think is right." Informed in mid-August of the teaching assignment change, Schultz elected to leave Eastern Randolph after one more year.[39]

Like Schultz, some advisers in this study believe they should be the final authorities. Kaiser said the final right of article approval at North Gaston rests with her, a task she accepts with an eye toward her job. "I have four other classes; I enjoy teaching; and I refuse to risk losing my job," Kaiser said. "I have the authority to censor."

The adviser who asked to remain anonymous — whose very request for anonymity indicates her feeling about job security — echoed Kaiser's sentiments: "I just let the principal know if I think something might be controversial," she said. "But I have final OK, unless it's controversial, and I'm

not going to risk my position." If she is in doubt, she added, she cuts the article or lets the principal decide. Avoiding calling her work censoring, the adviser said, "I don't read with an eye to cutting. I read to help improve."

Other advisers were equally loathe to say they censored their students. "I hate to call it censoring. I call it editing," said Enloe's Lineberry, "going through and taking out all potentially libelous material. Newspapers must do it or get censored. I read all articles — the student copy editor, then me, sometimes. I, over the principal, am their [the students'] guide. I had an assistant principal who wanted to censor a story; I refused but did let her look at the story before it was published. Our principal is strong on the First Amendment and doesn't want censorship."

Asheville's Fairbanks, who also reads all copy, said, "I read the articles as the students write. When we have dedications [songs to girlfriend or boyfriend], I type them up. We just specify no obscenities." Fairbanks said she has the authority to censor. "I don't think a system of prior review [beyond the adviser] is needed," she said. "The principals just ask that I put the newspaper on their desks first."

East Mecklenburg's Phillips said she learned in her first year of advising that problems could arise quickly unless she read all copy. She said her staff has "cooling-off sessions," in which they decide not to print certain articles. "I have the authority to censor," she said. "But I don't know if I'd call it that. I don't call 'cooling off' sessions censorship." Phillips added that she has final right of approval of all articles, as Lee County's Robinson said of her position. "I let my principal know" about a controversial article, and, sometimes, "I let another teacher read the article," Robinson said, but she is the one who gives final approval. Reluctant to say she censors, Robinson said, "I read everything. I don't read sports as closely."

In a similar situation, "I understand I am the final authority" for approval of articles to be published, North Rowan's Kennedy said. "My principal says, 'I know you know how to handle it,'" she said of occasions on which she has asked his advice. She does not consider her decisions not to print certain articles to be censorship because "our students know we're responsible for what we print," Kennedy said. In her word "responsible," Kennedy holds an "omnipresent hand"[40] over her staff members' heads.

Even using adviser prior review, a practice generally accepted among the advisers in this study as being similar to the work of the professional newspaper's copy editor, is not easy for one adviser. Because of her background as a journalism major, with its emphasis on no prior review for changing content, Gorsuch said, "I have a hard time with that [needing to read and approve students' work before printing]." However, she said, "our cartoonist [by depicting content that would offend school and community people] caused me to have to cut material. I have the final approval of articles. Our principal doesn't want to. I've let him know [about sensitive articles] twice: a teen-age pregnancy article and a school prayer article. He didn't read the articles, but I wanted to keep an open atmosphere. Ideally, I don't censor," said Gorsuch, "but I know I exert subtle pressure."

A school newspaper editor interviewed in a national survey gave a student's view of such pressure, in this instance from administrators, that may agree with the thoughts of many North Carolina student editors:

> ...[T]he administration does pressure us not to print matters that would 'rock the boat,' so to speak. We are allowed a fair amount of freedom in what we write, yet it sometimes feels that there's an omnipresent hand over our head, not actually telling us what we can print and what we cannot, but letting us know all the same.[41]

In North Carolina, most editors seemed content with the roles taken by their advisers, a fact that was true nationally, as well. Many editors in a national survey said that their advisers had supported them in censorship conflicts with the administration, "even at the risk of losing their job or, as one student put it, 'get[ting] transferred on permanent bus duty [a task despised by most public school teachers].'"[42]

Just what is it that these advisers and administrators work at keeping out of print? Are certain topics taboo? Are certain others guaranteed to cause trouble? Advisers at North Rowan and North Gaston say senior "Last Wills and Testaments" are certain troublemakers at their schools. In this time-honored special section of what is usually the final issue of the year, seniors may bequeath to underclassmen valued attributes and possessions. These "wills" often contain subtleties and trouble-causing statements that escape even the wiliest adviser-censor. "I read everything," said Kaiser of North Gaston, "and I use the authority to censor, especially with 'Senior Wills and Testaments.'"

Free to write about any topic, said their advisers, are the newspaper staffs at Plymouth High, Asheville High, West Henderson High, North Gaston High and Enloe High. Even within that

freedom, however, each one could think of controversial topics. Racial brotherhood has been difficult to achieve at Asheville, Fairbanks said, and just as difficult to write about. Troublesome topics at West Henderson include at-school administrative problems, teen pregnancy and planned parenthood, Gorsuch said.

Other schools' staffs now know from experience that some topics are taboo. For instance, although at East Mecklenburg no limit on subject matter for articles is placed by school authorities, Phillips said, "we have discussed whether to print things. Finally, students come around to my way of thinking because I make them think of all consequences. We had teacher molestation of student cases we finally decided not to run. We sat back and cooled off [and agreed not to write]." [43] The most recent "sensitive" subject Phillips can remember having to approve writing about was "dealing with teen pregnancy, which ran in a two-page spread." Phillips' making the students "think of all consequences" and sit back and cool off result in the coming around to her way of thinking that chills freedom of expression and enables Principal Frank Rozelle to say he leaves all prior review up to Phillips.

In addition, at Lee County High, "Beach Weekend" — a spring weekend that involves the Junior-Senior prom and a mass exodus to North and South Carolina beaches — is not to be covered by their newspaper. "A spread on this drew a direct order [from the principal] we were not to do that again. No reason was given," Robinson said. "The staff has the same opinions I do.[44] We don't write about birth control specifics, and I'm not ready yet for AIDS."[45] On these topics Robinson echoes the views of many advisers across the state, who feel that school authorities, parents, and community members do not want to find evidence in the school newspaper that students are even thinking about sex, much less contemplating ways to prevent conception or the possibility of contracting a deadly disease. Most recently, Robinson had to decide whether to run a story about teen-age pregnancy. She approved it, with revisions. Such decisions happen "about once or twice a year," she said.

Also not officially limited by school authorities at North Rowan, Kennedy will take "no ads from Planned Parenthood." She decides what subjects the newspaper will cover and would "have to weigh subjects" that might antagonize the newspaper's advertisers and subscribers.

Despite there being "no written or spoken limits on subject areas to cover" at her school, the adviser who asked not to be identified said, "But I know the community, and he [the principal] trusts me to use my better judgment. For instance, the KKK [Ku Klux Klan] is highly inflammatory in our area, and I wouldn't touch it. I'd print nothing explicit about birth control, and I'm not ready for AIDS." In the view of advisers like this one and Robinson of Lee County, who voiced the same opinions, it is far better for their job security and everyday equilibrium not to disturb school authorities, other teachers, and the community by revealing in permanent print in the school newspaper that students think and act in controversial ways on troublesome topics.

Throughout the interviews the advisers repeatedly demonstrated a keen awareness that their own jobs could be on the line with the publishing of one controversial article. However, few of them were aware in Summer 1987 of any public or court controversy in North Carolina over the high school newspaper (none being aware of the *Loman* v. *Davis* case at Eastern Randolph High) or of the *Hazelwood School District* v. *Kuhlmeier* high school censorship case that since 1983 had worked its way through district and circuit courts to the Supreme Court. "In North Carolina, I know of no cases," said Wellborn, "probably because people want to keep their jobs!" On that subject a North Carolina professional writer, in an article for a Durham newspaper, said the student press (and she would include its advisers) must come to grips with censorship:

> ... Adolescents should not expect to have privileges greater than their elders. And all the elders I know deal daily with senseless censorship in one form or another. One dirty word can send a network anchorperson back to that 5,000-watt radio station where it all began. One wisecrack can signal the end of a career. One lighthearted quip about a sponsor's toilet-bowl cleanser can bankrupt a television program....[46]

"I remember two situations in North Carolina," Fairbanks said, "one about a picture of a girl on a street corner implying prostitution and one about a picture that contained the words, 'Kill nigger babies'"[47] "Not any in North Carolina," said Kaiser, "but in South Carolina, an Irmo High [a school in a Columbia suburb] cartoonist used the words, 'wee-wee,' and the principal held the paper."[48]

At the time of the summer adviser interviews, the Supreme Court had received lawyers' briefs and had agreed to hear arguments in the *Kuhlmeier* case in the fall. Advisers Wellborn, Fairbanks, and Gorsuch knew of that case.

Finally, in February 1988, each of the advisers was asked to consider the Supreme Court's decision in favor of the school board in *Hazelwood School District* v. *Kuhlmeier* and to project how

that decision might affect high school journalism in general and their school newspaper and them as advisers, in particular. Reactions ranged from agreement, to mixed feelings, to dismay. Two advisers believe the decision is a good one for high school journalism.

"The *Hazelwood* decision simply reinforces my own feeling that at the secondary level reasonable supervision is, indeed, appropriate," said the adviser whose name is being withheld. "I suppose that in some larger, more liberal schools, the ruling will not be well received; however, at [this adviser's school], reasonable supervision has always been our policy."[49] This adviser expects no changes at all, except, perhaps, a greater assurance in her role as prior reviewer and censor. Although a national survey found censorship to be more likely in small schools in middle- and working-class communities, adviser control is a much stronger influence than any other.[50] Regional surveying by Robert Trager and Donna Dickerson, which also found "the atmosphere seems less restrictive in the large schools in large communities," concluded that adviser training was a factor in censorship: "[a]dvisers with academic or professional backgrounds in journalism seem to be willing to give students more freedom than those without such experience."[51]

At North Rowan, Kennedy also found the ruling to her liking. "After reviewing the summary of the decision," she said, "I agree with the decision of the justices. Students will have to be discreet in their selection of content for articles. At my school, the decision will not greatly alter our current procedure for selecting news.

"So far, I have been successful in convincing the students that our newspaper is not a mini-*Enquirer*. I further believe," she added, "that an adviser who keeps abreast of what students are considering for content in the newspaper and who is not reluctant to comment about propriety is the key to responsible reporting by high school journalists." Kennedy uses words difficult to pin down in meaning and intent: "suitability," "successful," "convincing," "propriety," and "responsible."[52]

Four other advisers had conflicting feelings about the Supreme Court's ruling. "My reaction to the *Kuhlmeier* decision is mixed," Mary Ann Robinson at Lee County said. "It will spell trouble for schools that have insecure and/or inexperienced principals — especially ones who do not have mature, experienced advisers."

"However," Robinson added, "I was trained years ago at Ball State University in Muncie, Indiana, that the school is the publisher, and I, personally, still agree with that. I certainly would not

want to be adviser without the backing of the school because I, alone, could be the adult held legally liable and because the school does pay my salary and for all the buildings and equipment that my staff uses."

"As for the ruling's effect on me," Robinson said, "I suspect it will be negligible because our new principal [Jo Ann C. Bowman, who replaced George Seagraves] is an enlightened, intelligent educator, who was on a newspaper staff herself in high school and is a big booster or fan of the newspaper.[53] Also, I believe the school newspaper should further good public relations — as long as we can print the truth [in as balanced and diplomatic a manner as possible], the truth being pertinent facts and valid student opinion that is not disruptive.

"So," Robinson said, "I see no change for us. We have had freedom of speech in the past, and I expect it to continue." Based on her comments, what Robinson sees as "freedom of speech" may differ considerably from the intent of the First Amendment.[54] Instances of being told not to write about "Beach Weekend" and of carefully selecting non-controversial material seem forgotten.

Another adviser who had a mixed reaction to the decision was Kaiser at North Gaston, who said, "We are not abruptly hurt or affected, unless, of course we publish something to cause a cafeteria riot. Overall, though, I see some risks for schools with restrictive principals."[55]

At Enloe, Lineberry also saw various possibilities in the ruling. "Where I am right now there is no problem," she said. "And I can see the legal argument from the professional point of view — that even the professional newspaper person is responsible to his or her copy editor and to the publisher. When I was getting pressure from other people about articles, I took the problem to my principal and liked having someone to call on. What bothers me now," Lineberry added, "is that my principal [Diane Payne] said she was 'kind of relieved' the Court ruled the way it did, leaving her basically in charge of everything. My journalism class feels the decision is not a good idea," she said, "that the newspaper and staff at Hazelwood East High should have been the responsibility of the adviser, as we have it here. In my classes as a whole, particularly the gifted and talented, students are indignant about it."[56]

A fourth adviser with mixed reactions to the decision is Wellborn, for whom a mid-year move from Plymouth High to Washington High brought a new staff and a tabloid newsmagazine, the *Pamlicoan Currents*, produced every six to eight weeks, instead of the weekly page in the local

newspaper. "The *Hazelwood* ruling would have had no effect at Plymouth if I'd been there," Wellborn said, "and according to my new principal here, there will be no problem. However, some principals do not know the difference between p.r. and news; what could happen to advisers and newspaper staffs in those schools is frightening. I believe one of the worst things that will happen to all advisers and student journalists," she added, "is that it will cause even more self-censorship."[57]

For the three other advisers in this study, the ***Kuhlmeier*** decision represents potential disaster for high school journalism, and they reacted with depression, dismay, and disappointment.

Fairbanks said, "I have truly been depressed by the ruling....I consider it on a par with the *Dred Scott* decision."[58]

Also opposed to the ruling, Phillips, at East Mecklenburg, said, "I believe the *Hazelwood* decision has set a precedent for some school administrators to censor any article in a school newspaper which they personally dislike. For this reason I was dismayed by the Supreme Court's recent decision.[59] I do not believe the *Hazelwood* decision will have a major impact at East Mecklenburg," Phillips added. "Students on the *Eagle* staff spend much time discussing their options and making their decisions with guidance from me. They learn best when they are actively involved in the process and can rationally make decisions. Our students recognize that Dr. [Frank] Rozzelle [principal] and I have allowed them much freedom because we trust them to make intelligent decisions."[60]

Joining Fairbanks and Phillips in their dislike of the ruling, West Henderson's Gorsuch said, "I was very disappointed with the *Hazelwood* decision, and I believe it was a very bad decision. In light of the Supreme Court ruling in the *Hustler* v. *Falwell* case, I am even more upset with *Hazelwood*. How can you protect smut but not high school publications?"[61]

Principals: Rarely Relinquishing the Reins

When Principal Robert Reynolds deleted two pages from the May 1983 issue of Hazelwood (Missouri) East High School's newspaper, the *Spectrum*, he deemed two articles on the pages "inappropriate." Five years later, January 13, 1988, the United States Supreme Court in a 5-3 decision upheld Reynolds' action. The taking of such steps by a principal would have been nothing new in North Carolina high schools, but in North Carolina only the students at Eastern Randolph High School have brought suit, as the Hazelwood students did. Unlike the parties to the *Hazelwood School District* v. *Kuhlmeier* case, though, the Randolph County litigants did not pursue their case to the

highest court. When the Eastern Randolph students won in district court the right to publish their article, the school board elected not to appeal.

From interviews with advisers for this study, it is evident that advisers today are, indeed, careful not to surprise their principals and to keep them informed on all issues, whether controversial, surprising, or simply bothersome. The adviser who asked that she not be identified asked that her principal not be interviewed because he would not like to learn that she had volunteered to be interviewed for this study. If he were to know, she said, she would experience work tensions and unfair duty assignments. None of the principals interviewed indicated negative feelings about his or her school's newspaper adviser having talked about the school's journalism program or about answering questions himself or herself. Originally interviewed by telephone in July 1987, the principals answered follow-up questions, also by telephone, in February 1988, after the Supreme Court decision in the *Kuhlmeier* case. Some principals say they do delegate all student newspaper responsibility to the adviser, but it is difficult to isolate the factors that determine whether the administration will practice strict control or delegate responsibility. Even when a principal says he or she gives all authority to the adviser, it may be that he has fully steeped the adviser in what content will and will not meet his approval, and the result is the same as if he examined every article.

In the original interview, before *Kuhlmeier*, the principals were asked to express their views on student publication guidelines. Advisers at their schools varied in their support of the idea of written guidelines, with three (North Gaston, Plymouth, and Lee County) opposed to having them and the other six generally favoring them. The same three basic problems the advisers had had with the issue also cropped up among the principals: one, what are guidelines; two, what instructions and rules should the guidelines contain; and three, who should develop them? For the most part, the principals favored the unwritten rules they now follow, under which, generally, the adviser feels obligated to bring to the principal for prior review any copy that may be controversial.

At North Rowan High, a small school in Spencer, where Jean Kennedy is adviser, Dr. Joseph Nelson is principal. Nelson has taught for three years and has been a principal for sixteen. He believes student publication guidelines are "not really needed. Those decisions [what to print, who decides what to print] should be left up to the adviser," he said, "who works out problems with the principal." North Rowan has no written guidelines, Nelson said, but operates under certain unwritten

ones that include close communication between adviser and principal. That general practice is true for the seven other principals, as well.

Principal Fred Davenport at Plymouth High in Plymouth, another small school, where Susan Wellborn has been adviser, has taught for twenty years and has been a principal for eight years, four of them at Plymouth. Davenport said he knew of no reason to have student publication guidelines. His school has none in writing. For Davenport the unwritten guidelines take a certain direction. "Susan and I have talked," he said. "We have a verbal agreement to highlight the best aspects of the school. We've not ever discussed written guidelines."

Similarly, at Asheville High, a middle-sized school in Asheville, where Helen Fairbanks advises the newspaper, Dr. Larry Liggett, the principal, said his school not only has no written guidelines, but he is uncertain as to what should be in them. Liggett has taught for three years and been a principal for nine years, all nine at Asheville. He said Asheville has no publication guidelines in writing and added that the school "has been very fortunate" with responsible publications staffs. No written or understood system of prior review exists at Asheville, and "the sponsor of each organization [newspaper, yearbook, literary magazine]" has the final right of approval of articles, Liggett said. His adviser, Fairbanks, has made an attempt to use written guidelines and would like to develop a constitutionally sound, effective student publication policy. Fairbanks indicated that many problems with the task of advising, including the *Kuhlmeier*, ruling had led her to "try to resign" in January 1988. However, she said, Liggett, because he felt "comfortable with her" as adviser, refused and "threatened me with a return to coaching. They don't want some unknown and possible renegade advising the newspaper." She added that she resents this attitude and doesn't want Liggett to be comfortable with her advisership.[62] According to Click and Kopenhaver, more than half of the principals who responded to their survey believe it is more important to have newspaper advisers with journalistic and advising skills than to have advisers who will not rock the boat. Still, one-fourth of principals would select the less-well-prepared, but more docile adviser.[63]

Like Liggett, Principal James Costner at North Gaston High, a middle-sized school near Dallas, where Jane Kaiser is in her second year as newspaper adviser, said he had had no experience with student publication guidelines and did not know "off the cuff" whether they were in the best interest of student journalism. Whether to have such guidelines "should be left up to the principal" of

the school, he said, and they should be developed by "the local school board." That idea would result in even more confusion because school boards — usually composed of laymen with no experience with student publication work — even at the state level have less knowledge of the student press than do principals. As has already been noted, Click and Kopenhaver found that principals perceive the school board as believing it is more important for the school to have a good image than for the school newspaper to print the truth.[64]

"If guidelines were to be developed in Gaston County," Costner said he favored "general guidelines for all seven high schools in the county." Costner has been at North Gaston all five of his years as a principal. Earlier in his career, he taught math and science for seven years and worked for eight years as an assistant principal.

The idea of countywide cooperation among high schools to develop guidelines was also mentioned by adviser Brenda Gorsuch of West Henderson, a middle-sized school in Hendersonville, where Dr. Kohlan Flynn is principal. West Henderson has no written guidelines, and Flynn sees no real need for developing any because the unwritten system works so well at his school. Under that system, Gorsuch, who is a journalism major with professional experience, handles all decisions about newspaper content. "The guidelines might be useful as a safety net," Flynn said, "but not written so tightly that they become a burden. Student publications tread on toes; yet, freedom of the press is involved." When the guidelines are tightly written, spelling out exact topics for writing, he said, students lose freedom of expression. Flynn, who was a classroom teacher for only two years, has been a principal for fifteen years, seven and one-half of them at West Henderson. He also worked in the North Carolina Department of Public Instruction for three years. Unusual in that he has selected an adviser with a degree in journalism, Flynn is like fewer than one-third of the principals in the Click and Kopenhaver survey, who believe journalism teachers-newspaper advisers should hold journalism degrees. More than half of the principals in that survey disagreed with that idea.[65]

Placing importance, as Flynn did, on the adviser's readiness for the role, Diane Payne of Enloe High hired a journalism teacher-newspaper adviser, Sharon Lineberry, who had both college training and professional experience in journalism. Payne has been at Enloe, a large school in Raleigh, for five and one-half of her eight and one-half years as a principal. A classroom teacher for five years, she believes publication guidelines are not necessarily in the best interest of student journalism. Preferring

to leave decisions in the hands of a competent adviser, Payne said that Enloe has no guidelines, unwritten or written. If guidelines are to be put in place, she added, they should evolve from a task force of administrators, teachers, and students.

A third principal who said he puts priority on adviser selection is Frank Rozzelle at East Mecklenburg High, a large school in Charlotte. Rozzelle, who taught for eleven years before becoming a principal, has been at East Mecklenburg for the last four and one-half of his twenty-nine years as a principal. "I select an adviser," Rozzelle said, "who would see that a quality product is produced — no vulgarity or controversial material." He added that he looks for an adviser with teaching experience who has shown he or she can control the situation.[66] Click and Kopenhaver examined principals' concept of control in their survey. A majority of the principals in that survey agreed that "maintaining discipline in the school is more important than publishing a newspaper free from administrative censorship," and almost half of the principals also agreed that newspaper advisers "frequently fail to see how the paper can disrupt other aspects of the school."[67] For Rozzelle, a major part of Phillips' role is keeping order.

"A good adviser is the key [to a smoothly running student newspaper]," also said Dr. George Seagraves, principal for seventeen years at Lee County High, a large school in Sanford, where Mary Ann Robinson is adviser.[68] Seagraves had taught for seven years and been a principal for six before coming to Lee County High. Although Lee County has no student publication guidelines, Seagraves thinks it is in the best interest of student journalism for a school to have such guidelines "so that students know the bounds they're working in," he said. If the school were to develop guidelines, Seagraves said, "It should be done jointly by the administration, the students — it has more to do with the students — and the school board."

When consideration turned to what subject matter is taboo for student newspapers at their schools — all but one principal said no limit is placed. By contrast, in 1973, almost one-third of the 388 advisers surveyed by the Commission of Inquiry into High School Journalism said their principals limited what subjects could be covered.[69] The only one of the eight in this study to say he sets limits, Seagraves of Lee County said, perhaps "something personal" [about a student, faculty member, or administrator] would be prohibited. Adviser Robinson said Principal Seagraves had given a "direct order" against any articles about Beach Weekend, the weekend after the junior-senior prom. "No

reason was given," she said. Robinson added that she, not the principal, also refused to allow publication of articles about "birth control specifics and AIDS [Acquired Immunological Deficiency Syndrome]."

Only one other adviser acknowledged limits on subject matter. Kennedy at North Rowan, said that she, personally, not Nelson, had made the rule that the newspaper would accept no Planned Parenthood ads.

Speaking of their own right to prior review and their roles as censors in Summer 1987, the principals in this study divided into three camps on the issue. Technically, their legal rights to restrain or censor could be based on only two appellate court cases, in which the Second and Fourth Courts of Appeal upheld prior review systems.[70] In Kristof's nationwide survey in 1983, he found that although "about half of all public high schools have little overt censorship," newspapers at "more than 80 percent of all public high schools have some censorship and are somewhat constrained."[71] The next year, Lillian Kopenhaver reported results of a Florida survey that, contrary to then current application of First Amendment rights in district and lower federal courts, almost half of principals agreed they had the right to censor. Even more said they had the right to expect advisers to read all copy.[72] As for who has the right of final article approval, Kristof found that more that 60 percent of advisers surveyed said they had that right, and less than 20 percent said the administration had it.[73] In Click and Kopenhaver's survey, almost all the principals and three-fourths of the advisers agreed that if an administrator asks an adviser to read copy prior to publication, the adviser should do so.[74]

Three of the principals in this study, Davenport, Liggett, and Payne, said in 1987 that they have no authority to censor or practice prior review of newspaper articles. "I do not review any at all," Davenport said. "My first exposure is in print. Susan [Wellborn, adviser] has final approval of articles. I don't know how much she exercises it." He added that he knew Wellborn gives much responsibility to the student editor. "I've tried to encourage Susan to deal with subjects in good taste," he added. "I do not restrict." He said he has no authority to censor student writers and is not called upon to give final approval of articles. "Susan sends me a few to read for accuracy as to content or procedure. There was something on the five-and-one-half-hour day. . . . Susan wanted to be sure the student had the facts correct. She calls on me if she has a question of the accuracy." Like Davenport,

Liggett said at Asheville High, "Articles range all over the place. I've never been asked to give an opinion" about whether an article should be printed, adding that he has no authority to censor.

Payne also said her personal policy at Enloe High allows for no administrative prior review. "I occasionally will talk to the adviser," usually when Lineberry comes to her with a question and sometimes about a school situation in general, she said. However, she said the adviser has final right of approval of articles in Enloe's publications. She has "not ever" been called upon to approve or disapprove any article. Payne said at that time that she had no authority to censor. Unlike any of the other principals, Payne also mentioned her strong belief in the tenets of the First Amendment. Along that line, Click and Kopenhaver found that more than 80 percent of principals believe that principals understand the First Amendment rights of student newspapers.[75]

Two other principals, Nelson and Costner, said they had both the authority to censor and the final right to prior review of articles. "[To have] [n]o prior review system is best," Nelson said, despite the fact that the newspaper at North Gaston operates under a strong unwritten prior review system. "I keep pretty close touch with the advisers and read the publications. Jean [Kennedy] alerts me before publication of potential problem articles." Nelson added that both he and the adviser have final right of article approval. "I have it," he said, "but I delegate it to the adviser. If an article is controversial, the adviser gets guidance. Student writers are not restricted, but we offer a lot of guidance." High school students may need guidance and advice, observed Kristof, in interpreting the results of his nationwide survey of students and advisers, "but these should not be disguises for intimidation and coercion. A newspaper adviser may advise, but the advice should not be binding."[76]

Nelson could not remember the subject matter of the most recent sensitive article he was called upon to approve. "It happened once last year," he said. "That's fairly representative." He said he has the authority to censor, but "I don't call it that. Students in a learning situation need a lot of guidance. That's what we give them." Nelson's strong belief in guiding the students, terminology that includes leading students to see what he and the adviser deem inappropriate to print in the school newspaper and why students should adopt those values, stems directly from his equally strong belief that students as minors are not ready for the responsibility of the professional press. He did not discuss the adviser's need to obtain guidance from him in carrying out the responsibilities of her job. However, it

is clear that the adviser (Kennedy) came to her job unprepared for its demands and had to work continuously on the job to learn her role.

Costner at North Gaston, like Nelson at North Rowan, said he "leaves prior review up to the sponsoring person" of the publication. However, he said he has the final right of approval of articles. "We sit down and talk. Our advisers have been here for a while, and I usually leave it up to them, but I do have the final authority." The advisers have learned what the principal will approve. In his five years at North Gaston, Costner said he had been called upon "probably two times" to decide whether to run something.

The three other principals interviewed — Flynn, Rozzelle, and Seagraves — all said they had the authority to censor but practiced no prior review. Flynn thinks the student editor and the adviser should review articles before publication. "There should be no principal input," he said. "I never see it [the student newspaper at West Henderson] before it's printed." Still, the authority for approval of articles is "ultimately me," Flynn said. A national survey found that a majority of principals and advisers agreed that the newspaper adviser is ultimately responsible for the content of the student newspaper.[77] "Brenda [Gorsuch] has not been to me more than two or three times ever" about an article, he added. "And then not in terms of the verbatim article but on the subject matter of the article. I feel I have the authority to censor, but that could be challenged in court, and I might lose. Courts seem to disagree with me," he said. This statement preceded the Supreme Court's *Kuhlmeier* decision by six months. "I read the legality that they can print whatever they want, but I believe students are a bit different from the general population."

Rozzelle at East Mecklenburg also said he leaves all prior review up to the adviser, "and the adviser does the final approving of articles." He can feel safe with this arrangement because in her years as adviser at East Mecklenburg, Phillips says she has learned to avoid controversy-causing articles. He added that he "seldom, maybe once a year" is consulted about an article.

In a similar vein Seagraves said, "We [the administration at Lee County High] have a policy [unwritten but understood between Seagraves and the adviser] of not reviewing. The adviser has the right of final review, but the final responsibility rests with the principal, even if he hasn't seen the article. Maybe the first time a sensitive subject was written about, I would be asked. The only recent article I remember was one on the number of pregnant students and how the school deals with the

problem. It was covered completely, and it did run. I thought they did a good job." He added that he has the authority to censor because what is published is his responsibility. Administrators who want to censor will find many ways to do it, such as applying pressure to the adviser and threatening to cut off funds.[78]

Would the principals feel the same about the tenets of governance for the student newspaper after the January 13, 1988, Supreme Court decision in favor of the principal's censorship in *Hazelwood School District* v. *Kuhlmeier*? A second telephone interview was conducted with each principal February 11, 1988, to determine whether the stance had changed. The first question asked each one was, "Are you familiar with a high school publication case recently decided by the Supreme Court that may have a strong impact on all secondary school publications?" When a similar question had been asked six months earlier, only North Rowan's Nelson and Lee County's Seagraves said they had heard of a case, and neither knew the basic facts in it. This time, all the principals said they knew about *Kuhlmeier* and understood its meaning.

Four of the principals also said nothing would change concerning the way publications were governed at their schools. "There'll be no change in the way we handle things at Asheville High," said Liggett, despite the fact that before *Kuhlmeier* he had said he had no authority to censor and no right of prior review. "I sat down with the advisers and students, and I let them know I saw no reason for change. It'll be business as usual here."

Also, "I see no effect at North Gaston," said Costner, who had said in July 1987 that he had both the authority to censor and the right of prior review. No change under the *Kuhlmeier* ruling "depends on the relationship I already have with the adviser and students," Costner said. "We don't cancel out controversial issues," he added, "because my adviser knows how to guide the students' writing without saying, 'You can't write about this.' The adviser counsels student writers, 'This type article will cause a problem for the school and maybe for individuals personally.'" In other words, Costner and essentially untrained, first-year adviser Kaiser exercise the not-so-subtle censorship practiced by many advisers and principals across North Carolina in the guise of counseling, guidance, and "cooling off." Costner added that a local newspaper had called to learn his reaction to the ruling and that the article that appeared in the local newspaper indicated that "none of the seven high schools in Gaston County had a problem with the ruling." Perhaps the other six also already had in place the

unwritten but well understood censorship and prior review practices that so effectively prevent problems for Costner.

And from a third principal, "There won't be any change at East Mecklenburg," said Rozzelle, who before the January Supreme Court ruling had said he had the authority to censor but exercised no right of prior review. "The trend had been to give students freedom; this outcome surprised me," Rozzelle added, "especially because the articles in question did not seem at all outrageous." At East Mecklenburg the adviser, Phillips, has prevented the publishing of articles on touchy topics, such as one on student molestation by a teacher and another on teen-age pregnancy in which a student could be identified.

The fourth principal who said he sees no change in the offing, Nelson, at North Rowan, said, "Jean [Kennedy] and I have talked, but the ruling will have no effect here because of the rapport we have. She and I consider ourselves the publisher of the newspaper." Even before the *Kuhlmeier* decision Nelson said he had both the right to censor and the right of prior review, although he delegated the latter to the adviser. "While kids have editorial freedom of expression," Nelson said, "we exercise a kind of control. Without a whole lot of overt censoring, we try to protect the kids. For instance, rude or insensitive colloquialism might get into 'Wills and Testaments' and hurt feelings or be immoral, unless we protect against it." Censorship practices are thus already in place, leaving students with little freedom of expression under a great deal of control. "As a local newspaper commented," Nelson added, "the situation is like the professional press. Also, like other clubs in school, the adviser exercises a type of control."

Two principals implied that change in policies was probably not forthcoming, but they did not say so in so many words. "I'd have made the same decision the Hazelwood East principal did," Flynn, of West Henderson, said. "If the Supreme Court decision had been the other way, I still would exercise my own opinion and then be told that I couldn't. I can honestly say I recognize why the question is being raised." However, before the *Kuhlmeier* decision, Flynn said that he exercised no right of prior review, a stance that would prevent his being in the position to act as the Hazelwood East principal did, unless the adviser brought the articles to him, which he said had happened only "two or three times ever." He had, however, said that teen-age pregnancy was a troublesome subject at West Henderson. Adviser Gorsuch had said that although Flynn did not want to exercise prior review and

had given her that right, she had been to him about the subject matter of articles she considered sensitive, one of which had been on teen-age pregnancy. As he had in July, Flynn said he saw "some few things that ought to be considered different in the school from in the public" especially because of the youth and inexperience of students. He emphasized that he thinks "the high school newspaper-principal relationship is a little bit different from that of the professional newspaper-publisher."

The second principal who did not explicitly say no changes would occur, Payne of Enloe did reiterate her stand from six months earlier, "I don't censor; I trust the adviser. I have talked with the adviser and have been surprised that none of the students have been to talk with me. I do know from the adviser that the students are concerned about the effect of this ruling on student journalism throughout the country."

On the latter issue both Payne and Flynn had serious thoughts in February. "I would have some concerns for the kids," Payne said. "If you had a principal who wanted to censor, the kids would have a problem." "The school is run by the principal," Flynn said, "and an abuse of power is possible."

Although most of the schools will see little difference in their journalism programs and student publications as a result of the *Kuhlmeier* decision — for the most part because they are already practicing prior review and censorship — another kind of change had taken place that made major differences at two schools. At Plymouth High, Adviser Wellborn resigned at mid-year to become journalism teacher and newspaper adviser at Washington High School in Washington, North Carolina, the town in which she lives. And at Lee County High, Dr. Jo Ann C. Bowman has replaced former Principal Seagraves, who resigned in August 1987, after seventeen years as principal.

At Plymouth, Principal Davenport discussed the *Kuhlmeier* decision in the light of the change of advisers from Wellborn, with eleven years' experience, to a new and inexperienced adviser. "Our journalism students are concerned," Davenport said, "especially with a new adviser, but our basic position remains the same. We will entrust the newspaper to the new adviser, basically as we entrusted it to Susan Wellborn. As always, the newspaper needs to be honest, fair, and in good taste. We frown on the use of vulgarities. I have no intent to read articles before printing. We will deal with journalistic ideals and maintain high standards." The latter goals may, however, be somewhat difficult to achieve right away. One telephone conversation with the new adviser, Linda Furgurson, revealed

that she has never before taught journalism or advised a student newspaper and has many questions about the basic skills of the craft she is teaching, not to mention about legal and ethical concerns.[79] In this situation and others like it involving inexperienced advisers, the principal may exercise far more control than in a situation in which the adviser is versed in the skills she needs.

New principal of Lee County, Dr. Jo Ann C. Bowman, in her third year as a principal, said, "There will be no differences at this school. The adviser and staff haven't violated the trust that had been placed in them [by Seagraves]." Because Bowman had not considered most of the questions basic to this study, she agreed to talk in the February interview about her position as it relates to student journalists, their adviser, and the student newspaper. She had not considered before the idea of any written guidelines for the student publications, but frowned upon the idea. "The more stringent you make things," she said, "the more likely you are to have trouble with things you've never had trouble with before. It's best to have an open line of communication."

Bowman added that she does not exercise administrative prior review; only the classroom teacher reviews articles before they are published. "'Review' is the correct word," she said, adding, "I have the final right of approval of articles if anyone does, but there is no censoring. If what they write is silly or dumb, it will just have to be silly or dumb."

Although these eight principals cannot give a complete picture of the principal's role in secondary school journalism, they have given individual glimpses of administrative attitudes toward the high school newspaper, its staff, and its adviser in North Carolina.

Student Editors: Caught in the Rights v. Responsibilities Crunch

More than 80 percent of the student editors questioned in Kristof's 1983 nationwide survey reported censorship in their schools, fourteen years before *Kuhlmeier* gave permission for it.[80] That survey, as well as this case study found that although most administrators and teachers say they do not forbid publication of specific articles, they discourage students from writing about controversial topics in general. Such a policy of discouraging timely, accurate reporting is often backed by veiled or spoken threats of disciplinary measures that result in stifling self-censorship by the students themselves. In this era of deference to authority, a student editor will squelch even thoughts of writing about a touchy topic that could bring administrative disapproval or endanger the adviser's position.

The twelve student editors at the nine schools in this case study were selected by their advisers, with some input from the previous year's staffs. Three schools, Asheville, Plymouth, and Lee County, have co-editors. All but two of the editors are in their second year on the staff, having spent last year learning the ropes in positions ranging from reporter to photographer. The two with no prior experience are Jo-Anna Davis, co-editor at Lee County and John Tompkins, co-editor at Asheville. One editor, Darby Abbott, at West Henderson, is in her third year on the staff, having moved through the ranks as news editor and assistant editor. Another, co-editor Tompkins at Asheville is a rookie staff member this year.

Under the pressure of producing an award-winning, or even a presentable, publication every four weeks, advisers may get around to teaching the tenets of First Amendment freedom of expression and the legal and ethical concerns of journalists only when pertinent questions arise, and, even then, their words and actions often present student journalists with conflicting examples. It is no wonder that student editors do not seem clear on what constitutes censorship, often approving it because they confuse censorship with the legitimate editing decisions they and their advisers make daily. In this study censorship refers both to specific incidents of cutting controversial material and to any policy or atmosphere of intimidation that causes students to refrain from printing certain materials in the school newspaper.

Although nothing in their experience as staff members or in a journalism course had prepared the editors to understand student publication guidelines as they are explained in this study, nine of the twelve believe their newspapers need written guidelines to direct them. Only Gary Stohler, editor at Enloe; Laura Wetmore, editor at North Rowan; and Abbott think it is in the best interest of student journalists not to have written guidelines. Written guidelines produce "too much discipline, inviting students to ignore them," Stohler said. On the other hand, "unwritten rules, if they are conveyed properly and not adhered to strictly," he added, "give the students flexibility but still, some control."[81]

Also seeing publication guidelines only as restrictions or limitations on subject matter, Abbott said, "My objection to these guidelines is complete. Due to the new ruling concerning student publication guidelines, I feel that student journalists cannot express their freedoms and rights under the First Amendment. How can censorship possibly be in the best interest of student journalism or

students if it does not allow freedom of speech?"[82] Abbott shows some confusion about the *Kuhlmeier* case, which she refers to as "the new ruling concerning student publication guidelines."

No guidelines should be written because writers should find out for themselves what is appropriate for their fellow students to read, Wetmore said. "Reporters learn best by experience," she added.[83] All the other editors, for varying reasons, saw guidelines as positive elements for the school newspaper staff. At Lee County, Jo-Anna Davis took the opposite stance from that of Wetmore, saying, "We need them to prevent errors caused by inexperience, and her co-editor, Gary Long, added, "The most obvious basis" for having guidelines "would be that everything needs rules and regulations to go by to make for smooth and consistent publication. Journalism ethics should be taught, and personally set standards would teach proper ethics."[84]

Editors at only two schools said their staffs had any form of guidelines in writing. At Plymouth, the editors said they are guided by "the *AP Stylebook* and a set of 'do's and don't's' Mrs. [Susan] Wellborn left for us."[85] Asheville's Jones said his school has guidelines that are a "molding of national guidelines and our adviser's, Mrs. [Helen] Fairbanks,' to make sure we are a positive force in the printing world."[86]

Along with their acceptance of the idea of guidelines, most of the editors said that guidelines should specify what could and could not be printed in the school newspaper. A few added other specifications. The *Kuhlmeier* decision evidently influenced Plymouth's McCray's idea that guidelines "should state that the administration [principal] now reserves the right to censor the paper." North Rowan's Ervin also suggested the guidelines say, "Opinions should be excluded under the authorization of the newspaper staff." Even West Henderson's Abbott, totally opposed to written guidelines, could think of one item to be included, "Extreme censorship of all published material is unfair." None of the editors suggested that their school's policy might be designed to preserve student freedom of expression; provide adviser job security; or prevent censorship, prior review, and prior restraint. Most of the editors believed the guidelines should be developed by newspaper staff members, along with their adviser and administrators. Plymouth's editors omitted staff members from the process, and Lee County's Long would add a professional journalist and students not in journalism.

As things stand at these nine schools, no written systems of prior review by advisers or administrators exist, but that fact does not mean that prior review is not practiced. In fact, most of the editors accepted adviser review of all copy as the norm, a protection for students against the ire of administrators. All the advisers noted that they practice prior review for content and accuracy, with several adding that they did not hesitate to cut controversial material in the interest of preserving their own jobs. No one wanted to call her work censorship, and none of the editors called it that, with four schools' editors reporting that, as they saw it, their schools had no system of adviser or administrator prior review, written or unwritten. At Plymouth, the co-editors said, "Our school administrators [principals] are rather harsh upon us for writing negative comments about the school; so, if they reviewed our copy, the truth would never get published." They know about the principal's harshness from talks with their former adviser, Wellborn, who said Principal Fred Davenport believed student journalists were too immature to be given freedom of expression. Wellborn reviewed all copy.

At the three other schools where editors say no prior reviewing is done — North Rowan, Asheville, and West Henderson — the editors are evidently discounting or accepting as common procedure the reviewing done by advisers because at all three schools, the advisers say they do review all copy. At all three, though, principals say they leave reviewing up to the adviser. Students have come to expect and depend upon the adviser to tell them what to write about and to check their stories for grammatical errors and inaccuracies before printing, actions some students of the '60s and '70s would have found unacceptable. Today's students' acceptance of and deference to advisers' authority causes them to overlook or approve inconsistencies between the concept of free expression and the practice of it at their schools.

The remaining editors describe informal systems of prior review they and their advisers conduct. "The editors and adviser review everything before it goes into paste up," said Lee County's Davis. Co-editor Long added that the staff "exercises mature characteristics in determining what is fit to print." Lee County's principal and adviser agree that the adviser takes any possibly controversial material to the principal for review prior to publication.

Co-editors at East Mecklenburg, Daumit and Owen, and the unidentified editor said they and their advisers review all copy, with the unidentified editor adding that the principal also reviews before publication "any questionable material." At Enloe and North Gaston, the editors identify the advisers

as the person who exercises prior review. Principal Diane Payne at Enloe had said that she practiced no prior review, and Principal James Costner at North Gaston said he practiced prior review only when the adviser brought controversial material to him.

Along with questions of prior review comes the determining of who has final right of approval of articles. Even after the *Kuhlmeier* decision, five of the student editors — at Plymouth, North Rowan, Enloe, North Gaston, and one of the Lee County co-editors (Davis) — believe they and their advisers have the final say over what is printed in the student newspaper. Principals Davenport at Plymouth and Payne at Enloe agreed with that idea before *Kuhlmeier*, as did Larry Liggett at Asheville, and now they say that although they are the final authorities, no change will occur at their schools. At North Rowan, North Gaston, and Lee County, principals said they have final responsibility for what appears in the student newspaper but have largely delegated that authority to the advisers, who, in turn consult them about sensitive material.

Student editors at the unidentified school, Asheville, West Henderson, East Mecklenburg, and one co-editor at Lee County (Long) see the principal as the final authority. At Asheville, co-editors Jones and Tompkins qualified their answers; Jones, by saying final approval "usually stops with the adviser because she is experienced," and Tompkins, by saying the authority "usually ends with the student editors." At West Henderson, Abbott adds that at her school, the principal as the final approver is a "technicality" because he practices no prior review and does not exercise the right. Daumit and Owen at East Mecklenburg said that the *Kuhlmeier* decision had given the school administration the right of final approval, but at her school the adviser still exercised that right. Lee County's Long agreed with his co-editor that the adviser usually had the final right to approve copy but said the principal "supremely has the authority."

Advisers and principals agreed that after *Kuhlmeier* the principal had the final right of approval of newspaper copy. Despite that fact, student editors said the buck often stops with them. All the editors except Stohler at Enloe said that they have the authority to censor staff members' articles. Stohler said, "Even if I had it, I'd hope to have the control not to use it." He added that the only way he might try to remove an article was by convincing the author it was not good to run it. Despite his unwillingness to censor, Stohler said he was instrumental in the removal before printing of an article

entitled "A day in the life of an Enloe student" because the report would have been "too embarrassing for the student."[87]

Although Lee County's Davis and Long believe they have the authority to censor "to a certain extent," Long said, "There's no need to use the authority not to print because no one turns in articles even bordering on controversy because the adviser 'values her job' and shies away from anything touchy." Adviser Mary Ann Robinson, herself, made this fact explicitly clear.

At Plymouth the co-editors said they are the ones to say whether to print a sensitive article "almost all the time." They recalled, however, one occasion on which they had approved an article about teen-age pregnancy that reported the case of a real student but did not mention her name, and Adviser Wellborn overruled them and did not allow publication. As a result, the editors say, "We try to avoid issues on teen-age pregnancy."

North Gaston editor Ervin said she "always makes the decision" on whether to run sensitive articles, most recently on articles about Acquired Immunological Deficiency Syndrome, teen suicide, alcohol drinking by teens. None of the material was cut, she said. Ervin does, though, recognize religion as a topic her newspaper staff may not write about. North Gaston's principal, Costner, and adviser, Jane Kaiser, both had recalled an especially troublesome encounter they had had with a printer who inserted four pages of religious material into a Christmas issue as a filler. They agreed, too, that Costner has final right to approve articles.

Most of the student editors say they are not limited as to subject area but can think of sensitive topics that have arisen, on which they, the adviser, or the principal had to give approval or cut. (Note: Editors concepts of sensitive topics did not always agree with those of advisers and principals but were not included here because of basic sameness and because of article length.)

As might be expected from many of their own and their advisers' stances of avoiding a confrontation over any sensitive issue, none of the editors could name a situation in a North Carolina school in which a school publication had gone to court because it was censored. However, all of them were, in the February 1988 interviews, familiar with the *Hazelwood School District* v. *Kuhlmeier* case decided by the Supreme Court January 13. The student editors considered that case from two standpoints, first, concerning what they thought would be its major overall effect on student

journalism in United States and second, what would be its effect, if any, on the newspaper and themselves as editors at their schools.

All the editors thought the outcome of the case would adversely affect journalism, in general, but would mean little change at their own schools. Abbott at West Henderson said, "Depending on the administration's exercising of its newly acquired power to censor school publications, the decision may have a great deal of influence on future publications." At her school, Abbott said, "Nothing has changed; however, it is important for me to recognize the case is a source of potential problems if the administration were to decide to exercise its new right of censoring our publication. Until our principal comments on any of our choices of subjects, *Wingspan* will continue to run stories about all topics the editorial board approves." Adding that she agrees with the suggestions and editing procedures her adviser uses and that the adviser has "had a great deal of influence on all areas of the publication," Abbott said she did not expect that relationship or the good relationship with the administration to change. Adviser Gorsuch was quite distressed by the ruling.

East Mecklenburg's co-editors, too, saw harmful effects for many student journalists, but none for themselves. "Unfortunately, we feel that the... decision will force some staffs to forgo the printing of sensitive articles, such as suicide, abortion, and teen-age pregnancy," they said. "These articles have a strong impact on teenagers; by censoring the articles, the administration will be eliminating a major student voice." As for the effect on their own work, the editors said, "As long as our staff continues to maintain its high quality of standards regarding its subject matter and the manner in which it is approached, we see no reason for the case to affect the newspaper." Owen and Daumit had already told of an article about teen-age pregnancy that their staff had discussed and decided not to print because they thought student readers would recognize the unidentified subject.

North Rowan's Wetmore agreed with other editors that "students are going to be limited as to what they can print in their newspapers, " but she doesn't believe the decision "will have any effect on our staff or on me as editor." Her adviser had a positive reaction to the ruling. Continuing those same ideas, Tompkins at Asheville said, "I think school newspapers will be less willing to print an article dealing with a heavy issue. Also, with the reviews, the faculty will get to hear more of what they want to hear." He added about Asheville , "Nothing's really changed. Our paper is based on the

understanding that the faculty trusts us. In return, we carefully research our facts and present our stories tastefully and tactfully." Adviser Fairbanks was "truly depressed" by the ruling.

Expressing similar views, Davis at Lee County said, "If a school principal should happen to be unreasonable and/or closed-minded, it could mean the development of many passive, boring social reviews instead of school news." At Lee County, she said, "I believe that things at the *Panorama* and Lee Senior will run just as they always have: with efficient skill that serves its student body and is educating and educated at the same time." Her co-editor, Long, agreed with those points and added, "Some student publications are going to moderate and calm down on controversial topics." However, he felt that the Court "didn't clarify too much. Seems like a whole lot of smoke and haze around the whole subject." He, too, said their school would feel no effect. "It won't affect my story choice or my editorial tasks. It shouldn't affect my adviser because she is already conservative." Adviser Robinson, who had said there were several topics she "would not touch" and had noted former Principal Seagraves' forbidding that "Beach Weekend" be written about, also said that the school's "freedom of speech" would continue.

Also believing that his school newspaper, in a city that is home to the state's government, will not be affected, Enloe's Stohler saw certain demographic factors playing a role in the nationwide effect of the decision. "It will affect mostly rural high schools, and in more conservative areas of the country it may just legalize what already happens. On the whole," he added, "it will create a stricter environment for high school journalists to work in. That, in turn, will produce journalists who aren't as free thinking and open minded as we are used to."

"We will all probably have to be censored," said Hardison at Plymouth. She also said nothing would be different at her school. Her co-editor, McCray, added, "Our adviser will make sure we stay in the proper boundaries, so we won't get in trouble. Our principal will show force when he sees necessary. Their adviser, Furgurson, is new to her task and declined to answer questions about the *Kuhlmeier* decision.

Ervin at North Gaston saw the effect of the ruling on most high school newspapers as being unclear. However, at her school, she said it would have no effect at all.

The unidentified student editor said, "The decision will only make it easier for principals to review articles for publication at their high school." With unwritten review procedures already in place

at her school, she said nothing would change. "We already review all articles carefully in order to prevent publication of any questionable articles." For this editor, as for others in this case study, the word "questionable" hides a multitude of ways to suppress student expression.

> Abbott at West Henderson wrote the following in an editorial about the *Kuhlmeier* decision:
>
> > For high school journalists across the country it was a nightmare come true. The enforcement of censorship in schools could prove to be the beginning of mass confusion. Student journalists won't be sure what is acceptable and what isn't. Can we publish articles about birth control and other issues that affect young people? Is it within the boundaries of student rights to protest school policies? Do students really give up their freedom of speech and expression when they reach the school campus? How can students learn to be responsible adults if they have no rights for which they must be responsible?[88]

Being a student journalist today poses a dilemma for students like Abbott and the eleven other editors in this study. On the one hand, if well-taught by their journalism teachers, they are steeped in the 1969 *Tinker* free expression doctrine that says, in the words of Justice Abe Fortas for the 7-2 majority: "It can hardly be argued that students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate."[89] And in the years since *Tinker*, lower federal courts have consistently applied that standard to the high school newspaper. Along those same lines, in 1975, the Kennedy Commission of Inquiry into High School Journalism stated: The principal "cannot limit content of school-sponsored publications, theatrical productions and other expressive activities simply because he finds it unpleasant or controversial."[90]

On the other hand, students today face a new ruling that drastically limits the application of *Tinker* and gives the school official broad powers to censor content, based on "reasonable pedagogical concerns."[91] Although *Kuhlmeier* is limited in that it applies only to school-sponsored newspaper that are not public forums, it is a broad limitation that encompasses all the student newspapers in this study. They are all school sponsored in the Court's definition because they are supervised by a faculty member, are designed to impart certain skills and knowledge to student staffers and audiences, and use the school's name or resources.[92] Also, the newspapers in this study fail as public forums because none was by policy or practice opened for unrestricted use by the public or by students. A forum exists under *Kuhlmeier* only where the student editor clearly controls content decisions or where the school has designated the newspaper as a forum.[93] However, student newspaper staff members are not automatically to be dictated to by the school administration.

Protections do remain for the student press, as Mark Goodman, director of the Student Press Law Center, stated in making suggestions for student publications in light of *Kuhlmeier*. Goodman's suggestions included avoiding self censorship, adopting a clear policy for student publications, and enlisting help beyond the school walls. Knowing the basis for freedom of expression and what action to take in situations that arise are important considerations for students, advisers, and principals. However, the attitudes of the individuals in these three groups are the most important elements in a healthy, viable student press.

Summary and Conclusions

Qualifications of the journalism teacher-adviser for his or her task and lack of preparation for that task emerged as major concerns of a North Carolina high school journalism survey made fourteen years ago by University of North Carolina at Chapel Hill School of Journalism graduate student William Harmon Billings. Billings surveyed the journalism teachers at all the North Carolina high schools that offered a journalism course to determine what the teacher and course were like and what instructional needs were unmet. His study drew conclusions from advisers' objective answers but had no subjective input from teachers. On the contrary, in a case study of advisers, principals and student editors, such as this one, where the weight lies heavily on personal comment, only implications can be drawn.

For both Billings' survey and this study, adviser preparation stood out as a major element in the program. Both studies point to the adviser as the key to success or failure. He or she sets the tone of the whole program and provides continuity year after year, with student staff, the administration, faculty colleagues, and the community. North Carolina lags far behind in preparing advisers for their tasks, requiring no specific preparation to be a journalism teacher-publication adviser. Thousands of students in North Carolina high schools, like the students in this study, put their trust in their advisers — many with no journalism training or professional experience; show deference to their authority and concern for their jobs; and take their teachings for fact. If students are to be held, as *Kuhlmeier* states, to more stringent standards of grammar, accuracy, and fairness than are professional journalists, they cannot continue to be taught by advisers who have no concept, or little at best, of what those standards are and how to teach them.

More than anything else, the backgrounds and attitudes of the nine advisers in this case study point up the need for an adviser who is trained to teach good journalistic practices, deal with legal issues, and lead the student journalists to produce a quality newspaper. State Department of Public Instruction administrators must recognize this need and act to ensure trained journalism teachers and, thus, quality journalism programs.

In some states incentives for teachers already teaching journalism to improve their knowledge and skills include released time from teaching to prepare for the advising work — a free period — and financial supplements in partial compensation for the extra hours of teaching/advising time. Another simple incentive to gain training would be for the school to pay the adviser's registration fee and room and board to attend training sessions offered by the North Carolina Scholastic Press Association. Some North Carolina schools already offer the free period and/or the supplement. For example, at Vance Senior High School in Vance County seven years ago the three publication advisers asked the local board of education for supplements. They also asked Dr. Richard Cole of the University of North Carolina School of Journalism to write a letter supporting the payment of supplements and collected accurate accounts of time spent in the advising tasks. The board responded with supplements of $1,000 a year for the newspaper adviser, $800 for the yearbook adviser, and $600 for the literary magazine adviser. Board recommendations included a $600 supplement for the drama teacher. Those same stipends remain in place seven years later. In contrast, in Virginia, most schools offer publication advising supplements beginning at $1,000.

North Carolina currently emphasizes improving students' writing through the writing process and is training teachers by the hundreds to teach this skill, one of the steps of which is to get the students' writing published. Journalism courses with newspaper production as a component, led by trained journalism educators, are the best examples of the writing process already in place and working, an excellent reason for keeping, improving, and expanding such courses. Also, a national survey by Jack Dvorak, then of the University of Iowa, has shown that students who have taken a journalism course in high school score significantly higher on the verbal portion of the Scholastic Aptitude Test than do students without that training.[94] In the *Kuhlmeier* case, the teaching and practicing of journalism in the secondary school captured the attention of professional journalists across the nation, not to mention the time and consideration of the highest court. Amid such scrutiny

and with evidence such as the above, now is the time for North Carolina educators to effect change that will correct the state's haphazard treatment of this subject. The state's education plan teaches in its physical education program sports that can be practiced throughout life. Can it do less in the area of free expression?

The advisers in this study are not representative of North Carolina advisers, in that they attended a workshop designed to help them do their jobs better, not a widely chosen pastime for teachers who receive no pay for attending and chaperoning students, not to mention the fact that they must pay their own room, board, and registration. A 1986 survey by the School of Journalism at the University of North Carolina at Chapel Hill gathered statistics that show that a majority of North Carolina advisers are untrained for their task and have never attended a journalism workshop. Because the advisers in this study have attended workshops and taken information back to their schools, their principals are generally more enlightened than most North Carolina principals are about high school journalism and the student press. Considering these factors, this study probably pictures the bright side of North Carolina scholastic journalism.

However, few of the advisers in this study are well informed on matters of journalistic importance. Fear for their jobs, born largely of uncertainty in their roles, and deference to the principal's authority long before *Kuhlmeier*, characterize these advisers. Most of them, regardless of length of time as an adviser, call on their principal for article approval, at least in some instances. At only three schools had the principal not ever been called upon to give final authority to print an article. A large measure of advisers' insecurity lies in their lack of knowledge of the basis for student press freedoms. Both advisers and principals are unaware of most journalism law.

All nine advisers practice prior review, approved of in the sense that a copy editor edits a reporter's work, but in reality, a kind of review that goes much farther — into the ideas of the student writer. However, all are reluctant to say they censor, preferring, instead, to use a euphemistic term to describe their usually subtle pressure. As likely to edit for school politics as for journalistic policy, they are, to a large degree, concerned with how the school will look to the public. No matter what courts had said before *Kuhlmeier*, North Carolina's traditional communities have produced conformist attitudes and censorship.

Size of school seems to have little effect on the student newspapers at these nine schools. Of the two smallest, one practices principal prior review and censorship; the other runs without the adviser ever consulting the principal, who, before it was thrust upon him by *Kuhlmeier*, said he had no authority to censor. At the four middle-sized schools, two advisers censor, and two do not. In the latter two schools, the principals said they are never consulted. In the former two, one principal could not be interviewed because of the adviser's fear for her position, and the other said he gave final authority to the adviser. In the three large schools, both principals and advisers said they do no censoring.

In all schools, advisers exert subtle pressure, and, in practice, most of them are censors by the definition applied in this study: both cutting controversial material and instituting a policy or atmosphere of intimidation that causes students to refrain from printing certain materials in the school newspaper. Clearly, persistent student editor deference to such authority has a stultifying effect on the student press. Those student editors also are unwilling to subject themselves to the tyranny of the majority experienced by student editor Chuck Reineke in Cobb County, Georgia, who protested censorship, won his case and was ostracized by his classmates, who did not like it that he had rocked the boat.[95]

One way to avoid most of the problems that can confront the high school newspaper adviser and staff is for every high school to adopt a clear, legally explicit set of guidelines. Extreme care must be used, however, basing the guidelines on models, such as those drawn up by the Student Press Law Center. Where a bad publications policy exists, students and advisers are in jeopardy, and principals may feel they have the right to censor indiscriminately. Guidelines should cover such areas as student journalists' responsibilities, prohibited material (including obscene, libelous, and disruptive material — with carefully spelled out definitions of each type), protected speech, advertising policy, adviser job security, prior restraint prohibitions, and circulation policy. In the area of prior restraint, prohibitions should include customary ones of no deletions by the administration before printing, as well as the broader concept of no prohibition of student ideas for articles, the shaping of student thinking. As the Student Press Law Center guidelines point out, when the school grants to the newspaper freedom from prior restraint, it ceases to assume liability for content. Few model guidelines as yet consider the tenets of *Kuhlmeier*, a fact that may make two situations possible: 1.

Administrations may not approve guidelines without *Kuhlmeier* elements, and 2. staffs may not know, without a model, how to incorporate this new, untried factor. It is clear that research is needed to deal with current changes in the area of student press law and with what may lie ahead for student publications.

Even when constitutionally correct guidelines are in place, the chief factor in a successful journalism course-student newspaper program remains the well-trained adviser. In North Carolina, waiting for the State Department of Public Instruction to require such a factor may be a long process. After Bill Cloud of the UNC-CH School of Journalism and Bill Burke of the UNC-CH School of Education met in November 1985 with State Department of Public Instruction officials Charles Rivers and Michael Frye of the Division of Communication Skills and J. Arthur Taylor, director of the Division of Certification, Cloud said, "The reaction that Bill Burke and I both got from the meeting was very negative....Instead of being close to implementing it [the endorsement plan], we seem to be another year away at least."[96] That was more than two years ago, and no plan exists yet. Prospects for implementing the program would be improved if journalism teachers could see the need for being well trained, if they were given incentives to gain more training — such as scholarships and supplements, and if the clear need for the program were demonstrated to the SDPI officials, who said they have no expertise in journalism, Cloud said. Courses in the endorsement plan would need to be outlined by journalism educators at UNC-CH, he added.[97]

In addition, one clear, though intangible, piece of evidence asserts itself from this study. High school student newspapers are only public relations tools unless they are vibrant and well enough informed to effect needed change in the schools and promote the freedoms the United States stands for. The attitude essential to producing such newspapers must be found within the advisers, principals, and students who work on those newspapers. As with all education, if the adults do not inspire the young people with the importance of maintaining freedom of expression, that freedom can be lost.

Notes

[1]Whitney v. California, 274 U.S. 357, 375-77.

[2]Marc Abrams and Mike D. Simpson, *Law of the Student Press* (Washington: Student Press Law Center, 1985), p. 3.

[3]United States v. Schwimmer, 279 U.S. 644, 652 (1929).

[4]National Socialist Party v. Skokie, 432 U.S. 43, 49 (1977).

[5]United States v. Schwimmer, 279 U.S. 652, 668-671 (1925).

[6]393 U.S. 509 (1969).

[7]Tinker. supra, note 17, p. 507.

[8]"Hazelwood v. Kuhlmeier: Newspaper censorship goes to the Supreme Court," *The Student Press Law Center Report* 8 (Spring 1987): 3.

[9]Hazelwood School District, petitioner v. Kuhlmeier, Cathy, et al., 86-836 and 108 S. Ct. 562. Five of the eight justices — Chief Justice Rehnquist and associate justices O'Connor, White, Stevens, and Scalia joined the majority opinion, written by Justice White. Justice Brennan wrote the dissent, in which he was joined by justices Marshall and Blackmun. The final published version has not yet been released (16 April 1988).

[10]Mark Goodman, interview at the Southern Interscholastic Press Convention, Myrtle Beach, South Carolina, 12 March 1988.

[11]Marilyn A. Weaver, "A Summary of Certification Requirements for Journalism Teachers." A paper prepared for the Association of Educators in Journalism and Mass Media, Secondary Education Division, Midwinter Meeting, Knoxville, Tennessee, 16 January 1988, 3.

[12]Ibid.

[13]Richard R. Cole, dean, UNC-CH School of Journalism, to J. Arthur Taylor, director, Division of Certification, 7 May 1985. The endorsement program request outlined the minimum courses a teacher would have to take to teach journalism and/or advise the newspaper or yearbook.

[14]Ibid.

[15]Weaver, p. 4.

[16]UNC-CH School of Journalism Survey of High School Advisers, February 1986.

[17]Ibid.

[18]North Carolina Scholastic Press Association newspaper adviser survey, Fall 1985.

[19]Ibid.

[20]Dolores P. Sullivan, "Adviser Survival: the Trials and Triumphs," *School Press Review* 2 (Summer 1987): 16.

[21]Information from *North Carolina Education Directory, 1987-88, A Comprehensive Book of Reference*. Division of School-Community Relations, State Department of Public Instruction. School size (small, medium-sized, large) was based on the number of grades and the number of teachers. Actual school population is given only by county.

[22]UNC-CH School of Journalism Adviser Survey.

[23]Adviser interviews, February 1988.

[24]UNC-CH School of Journalism Adviser Survey, 1986.

[25]J. William Click and Lillian L. Kopenhaver, "Principals' and Newspaper Advisers' Attitudes Toward Freedom of the Student Press in the United States" (A paper presented to the annual convention of the Association for Education in Journalism and Mass Communication, Secondary Education Division, University of Oklahoma, Norman, 4 August 1986), p. 13. The survey was conducted of advisers and principals in 502 high schools in all 50 states. Usable responses were received from 191 newspaper advisers (43.5 percent) and 144 principals (32.8 percent).

[26]Ibid.

[27]The Dow Jones Fellowships are $300 grants to take a course in journalism through a Dow Jones-approved institution. The Fellowships are available only to advisers with fewer than three years' advising experience and no journalism background.

[28]Kennedy, letter, 20 February 1988.

[29]Nicholas D. Kristof, *Freedom of the High School Press* (Lanham, Md.: University Press of America, Inc., 1983), p. 26. This 1980 survey included student editors and advisers at 500 high schools, of which 385 schools responded, a response rate of 77.7 percent, pp. 14-15.

[30]In a Florida survey conducted by Lillian Lodge Kopenhaver of Florida International University, principals and advisers strongly agreed that advisers should read all copy before publication. "Guidelines help press advisers in high schools." (*Journalism Educator*, Summer 1984, pp. 41-42.)

[31]Censorship is any official interference with student control of the newspaper.

[32]Click and Kopenhaver, p. 6.

[33]Ibid.

[34]Ibid.

[35]Ibid.

[36]Ibid.

[37]Ibid., pp. 6-7.

[38]Ibid., p. 7.

[39]"Students Win Lawsuit, Lose Adviser," *Student Press Law Center Report*, 4 (Winter 1978-79): 6.

[40]Kristof, p. 30.

[41]Kristof, pp. 29-30.

[42]Ibid., p. 28.

[43]Phillips did not call her "cooling off" sessions censorship.

[44]This idea was also expressed by Phillips (see above), with neither adviser seeing her influence over staff members as an unwarranted restriction on freedom of expression.

[45]Robinson said that she did not censor.

[46]Suzanne Britt, "Editing the First Amendment," The *Leader*, 1 January 1988.

[47] In the first instance Fairbanks refers to a Fayetteville high school yearbook situation in the 1970s. In the yearbook a girl was depicted in a photograph standing under a Hay Street sign. Along with the photo was a suggestive gag caption Because the Hay Street area was well known as an area in which prostitution was practiced, the girl's parents instigated a suit against the school board for defamation of their daughter's character but settled out of court. In the second, she refers to a situation in which a Wilmington, New Hanover High yearbook adviser became embroiled in a picture controversy that led to the adviser's leaving his job.

[48]In the Irmo event described, The *State*, a Columbia newspaper with the largest circulation in the state, published a story, illustrated with the cartoon, about the ban. The principal released the papers because "Everyone had already seen the cartoon." Adviser Karen Flowers said she found the cartoon "in poor tast." The school has a written policy that states that administrators are responsible for the school newspaper's content. ("Political cartoon causes a wee controversy," *Student Press Law Center Report* 8 (Winter 1986-87): 14.

[49]Unidentified adviser, letter, 2 February 1988. Actually, the most outspoken disappointment with the ruling came from advisers at two schools in this case study almost identical in student population with that of the unidentified adviser: Asheville and West Henderson, both middle-sized schools.

[50]Kristof, p. 27.

[51]Trager and Dickerson, p. 138.

[52]Kennedy, letter, 18 February 1988.

[53]In August 1987, Dr. Jo Ann C. Bowman replaced Seagraves as principal of Lee County Senior High.

[54]Robinson, letter, 17 February 1988.

[55]Kaiser, telephone interview, 24 February 1988.

[56]Lineberry, telephone interview, 25 February 1988.

[57]Wellborn, telephone interview at Washington High, 23 February 1988.

[58]Fairbanks, letter, 16 February 1988.

[59]Phillips, letter, 25 February 1988.

[60]Phillips' comments indicate that much control has been exercised throughout her tenure as adviser.

[61]Gorsuch, letter, 22 February 1988.

[62]Fairbanks, personal letter, 16 February 1988.

[63]Click and Kopenhaver, p. 7.

[64]Click and Kopenhaver, p. 7.

[65]Click and Kopenhaver, p. 7.

[66]Sandra Phillips, newspaper adviser at East Mecklenburg, has been teaching for twenty-two years but has no formal journalism training or professional journalism experience.

[67]Click and Kopenhaver, p. 3.

[68]Newspaper adviser at Lee County, Mary Ann Robinson, has no formal journalism training but early in her advising career learned the ropes by winning a Newspaper Fund Fellowship to attend an advisers' training session at Ball State University.

[69]Kristof, p. 11.

[70]Ibid., p. 63.

[71]Ibid., p. 35.

[72]Lillian L. Kopenhaver, "Guidelines Help Press Advisers in High Schools," *Journalism Educator* (Summer 1984): 40-41.

[73]Ibid.

[74]Click and Kopenhaver, p. 6.

[75]Click and Kopenhaver, p. 7.

[76]Kristof, p. 42.

[77]Click and Kopenhaver, p. 7.

[78]Kristof, p. 69.

[79]Linda Furgurson, telephone interview, February 24, 1988..

[80]Kristof, p. 4.

[81]Gary Stohler, editor, Enloe *Eagle's Eye* , written interview, February 1988.

[82]Darby Abbott, editor, West Henderson *Wingspan*, written interview, February 1988.

[83]Laura Wetmore, editor, North Rowan *Cavalier*, written interview, February 1988.

[84]Jo-Anna Davis and Gary Long, co-editors, Lee County *Panorama*, written interviews, February 1988.

[85]Their school had a change of advisers in mid-year. Adviser Wellborn had said the school had no written guidelines.

[86]Adviser Fairbanks had said that their school uses portions of the UNC-CH *Stylebook*.

[87]Adviser Sharon Lineberry had had trouble with the content of the same kind of article entitled "A day in the life of Enloe" that concerned a teacher.

[88]Darby Abbott, "Court ruling goes against students," West Henderson High School *Wingspan* (19 February 1988): 4.

[89]Tinker v. Des Moines Independent Community School District, 393 U. S. 509, 506 (1969).

[90]Nelson, p. 155.

[91]Kuhlmeier, p. 12.

[92]Ibid., p. 10.

[93]Ibid., p. 9.

[94]Jack Dvorak, "Comparisons of College Grades, ACT Scores and High School Grades between Those with and Those without High School Newspaper or Yearbook Experience," a research paper submitted for presentation at the Annual Convention of the Association for Education in Journalism and Mass Communication, Secondary Education Division, The University of Oklahoma, Norman, August 1986.

[95]Reineke v. Cobb County School District, 484 F. Supp. 1252 (E.D. Va. 1977), aff'd., 564 F. 2d 157 (4th Cir. 1977).

[96]Bill Cloud, notes, meeting of University of North Carolina at Chapel Hill officials with State Department of Public Instruction Officials, 12 November 1986.

[97]Ibid.